

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Hiroshi Naito et al.

Application No.: 10/584,666

Group Art Unit: 2862

Filed: May 29, 2007

Examiner: B. L. Ledyne

For: MAGNETIC SENSOR AND
MANUFACTURING METHOD THEREFOR

INFORMATION DISCLOSURE STATEMENT (IDS)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

Timing of Filing of the Information Disclosure Statement:

- ☐ This IDS is being filed before the First Office Action¹.
- ☒ This IDS is being filed after the issuance of the First Office Action but before the issuance of a Final Office Action².
- ☐ This IDS is being filed after the issuance of a Final Office Action but before the

¹ The IDS should, where possible, include a certification under 37 CFR § 1.97(e).

² The IDS *must* include *either* a certification under 37 CFR § 1.97(e) *or* the fee set forth in 37 CFR § 1.17(p).

payment of the Final Fee³.

Certifications:

If checked, the undersigned makes the following statement(s):

☒

Statement under 37 CFR 1.97(c):

Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this information disclosure statement; and/or

No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in this information disclosure statement was known to any individual designated in 1.56(c) more than three months prior to the filing of the information disclosure statement.

☐

Statement under 37 CFR 1.704(d):

Each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart application and this communication was not received by any individual designated in 1.56(c) more than thirty days prior to the filing of this information disclosure statement.

Fee Required by 37 CFR 1.97(c)(2) or 1.97(d)(2):

☐

If checked, the fee of \$180 set forth in 37 CFR 1.17(p) is attached.

³ The IDS must include both a certification under 37 C.F.R. §1.97(c) and the fee set forth in 37 C.F.R. §1.17(p).

Copies of Information:

In accordance with 37 C.F.R. §1.98(a), the following are enclosed:

- ☒ A legible copy⁴ of each document (or relevant portion thereof) cited in the attached PTO/SB/08, except for U.S. patent and U.S. published applications.
- ☒ With respect to any information which is not in English, a concise explanation of the relevance, as it is presently understood by the individual designated in § 1.56(c) most knowledgeable about the content of the information, is attached. This concise explanation is provided by way of:
 - ☐ A translation of the relevant portions of the non-English language information⁵;
 - ☐ A statement explaining the relevant portions of the non-English language information;
 - ☒ A copy [and, where not in the English language, a translation] of at least the relevant portion(s)⁶ of the communication from a foreign patent office in counterpart foreign application (copy of Japanese Office Action dated December 7, 2010) (and English translation of the relevant portion)) which the information was cited; or
 - ☐ This information is contained in the specification of the present application.

⁴ A legible copy of the document is not required if (1) the information was previously cited by, or submitted to, the Office and considered by the Office in a prior U.S. application to which this application claims priority, provided that the prior application is properly identified in this IDS, and (2) the IDS submitted in the earlier application complies with 37 C.F.R. § 1.98(a) – (c). This exception does not apply to information cited in an International Application.

⁵ 37 C.F.R. §1.98(a)(3)(ii) requires that an English language translation be provided when a translation of the document, or portion thereof, “is within the possession, custody or control of, or is readily available to any individual designated in 37 C.F.R. § 1.56(c).”

⁶ The relevant portion is that portion which indicates the degree of relevance found by the foreign patent office. This may be an explanation of which portion of the of the reference is particularly relevant, to which claims it applies, or merely an “X”, “Y”, or “A” indication on a search report. MPEP §609 III A(3).

☐ In accordance with 37 C.F.R. 1.98(d), copies of the cited documents are not enclosed as they were provided in application Serial No. _____, filed _____, which the present application relies upon for an earlier effective filing date under 35 U.S.C. 120.

Materiality:

While the information and references disclosed in this Information Disclosure Statement may be “material” pursuant to 37 CFR 1.56, this submission is not intended to constitute an admission that any patent, publication or other information referred to therein is “prior art” for this invention unless specifically designated as such.

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 50-2215, under Order No. X2007.0217.

Dated: March 2, 2011

Respectfully submitted,

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